

## TITLE 327 WATER POLLUTION CONTROL BOARD

### IDEM'S SUGGESTED CHANGES TO PROPOSED RULES 327 IAC 8 AND 327 IAC 8-2.1 CONCERNING DRINKING WATER PUBLIC NOTIFICATION LSA Document #00-266

Revisions made by LSA under the Administrative Rules Drafting Manual (IC 4-22-8-4(a) (2)) and incorporated into the printed version (LSA Document #00-266) have been made in the version of the rule presented to the board for final adoption.

- |         |    |   |
|---------|----|---|
| Page 6  | 1. | 327 IAC 2-2-1(51)<br>Delete “(41).” in the last line of this subdivision following “as defined in subdivisions (8) and”<br>Insert “ <b>(42).</b> ” in the last line of this subdivision following “as defined in subdivisions (8) and”  |
| Page 17 | 2. | 327 IAC 8-2-4.1(k)(3)<br>Delete “and/or” after “If the levels of nitrate”<br>Insert “ <b>or</b> ” after “If the levels of nitrate”<br>Insert “ <b>or both</b> ” before “exceed the MCLs in the initial sample,”   |
| Page 20 | 3. | 327 IAC 8-2-5.1(10)<br>Insert “ <b>in accordance with the following:</b> ” after “analyzed within fourteen (14) days of sample collection”  |
| Page 34 | 4. | 327 IAC 8-2-8.4(d)<br>Delete “e.g.,” before “the M-Endo and LES Endo Membrane Filter Tests,”<br>Insert “ <b>for example,</b> ” before “the M-Endo and LES Endo Membrane Filter Tests,”  |
| Page 36 | 5. | 327 IAC 8-2-10.2(a)(1)(A)<br>Delete “and/or” after “it is recommended that the commissioner require radium-226”<br>Insert “ <b>, or both</b> ” after “radium-228”   |
| Page 42 | 6. | 327 IAC 8-2.1-3(c)<br>Delete “as applicable” after “The report must include the following definitions”  |
| Page 42 | 7. | 327 IAC 8-2.1-3(c)(3)<br>Change subdivision (3) to subsection (d)<br>Delete “for which” after “A report that contains data on a <del>contaminant</del><br><b>contaminants</b> ”<br>Insert “ <b>that</b> ” after “A report that contains data on a <del>contaminant</del><br><b>contaminants</b> ”<br>Insert “ <b>and</b> ” after “ <b>regulates</b> ” |

Delete “**using**” after “**regulates**”  
 Insert “**uses**” after “**regulates**”  
 Delete “the following” before “definitions”  
 Insert “, **of the terms used**” after “as applicable”

- |         |     |   |
|---------|-----|---|
| Page 42 | 8.  | 327 IAC 8-2.1-3(c)(3)(A)<br>Change Clause (A) to subdivision (1)  |
| Page 42 | 9.  | 327 IAC 8-2.1-3(c)(3)(B)<br>Change Clause (A) to subdivision (2)  |
| Page 42 | 10. | 327 IAC 8-2.1-3(d)<br>Reletter subsection (d) as subsection (e)   |
| Page 44 | 11. | 327 IAC 8-2.1-3(e)<br>Reletter subsection (e) as subsection (f)   |
| Page 44 | 12. | 327 IAC 8-2.1-3(f)<br>Reletter subsection (f) as subsection (g)   |
| Page 45 | 13. | 327 IAC 8-2.1-3(g)<br>Reletter subsection (g) as subsection (h)   |
| Page 63 | 14. | 327 IAC 8-2.1-9(c)(1)(B)<br>Delete “ <b>of this section.</b> ” after “ <b>the notice required in clause (A)</b> ”   |
| Page 65 | 15. | 327 IAC 8-2.1-10(c)(1)(C)(iii)<br>Delete “; <b>or</b> ” after “ <b>or on the Internet</b> ”<br>Insert a period “.” to end item (iii)  |
| Page 68 | 16. | 327 IAC 8-2.1-13(b)<br>Insert “10” before “ <b>(d)(1),</b> ”<br>Insert “10” before “ <b>(d)(3)</b> ”<br>Insert “ <b>of this rule.</b> ” after “ <b>and (d)(3)</b> ”   |
| Page 68 | 17. | 327 IAC 8-2.1-13(c)<br>Insert “ <b>(9)</b> ” after “ <b>This problem occurs only in developing teeth, before they erupt from the gums. Children under nine</b> ”  |
| Page 71 | 18. | 327 IAC 8-2.1-16<br>Make the following insertions to the row following row “8. Cyanide” in Table 16. I B:<br>In the first column under heading “Contaminant”, insert “ <b>9. Fluoride</b> ”<br>In the second column under heading “Tier of Public Notice Required”, insert “ <b>2</b> ”<br>In the third column under heading “Citation”, insert “ <b>327 IAC 8-2-4(c)</b> ” |

In the fourth column under heading “Tier of Public Notice Required”, insert “**3**”

- |         |     |  |
|---------|-----|--|
| Page 75 | 19. | 327 IAC 8-2.1-16(3)<br>Insert “ <b>twenty-four</b> ” after “ <b>required to initiate consultation with the commissioner within</b> ”<br>Enclose parentheses around “ <b>24</b> ” where it occurs before “ <b>hours after learning of the violation.</b> ”<br>Insert “ <b>twenty-four</b> ” after “ <b>If a system is unable to make contact with the commissioner in the</b> ”<br>Enclose parentheses around “ <b>24</b> ” where it occurs before “ <b>hour period, the violation is automatically elevated to Tier 1.</b> ” |
| Page 75 | 20. | 327 IAC 8-2.1-16(4)<br>Insert “ <b>twenty-four</b> ” after “ <b>Failure to take a confirmation sample within</b> ”<br>Enclose parentheses around “ <b>24</b> ” where it occurs before “ <b>hours for nitrate or nitrite after an initial sample</b> ”  |
| Page 75 | 21. | 327 IAC 8-2.1-16(5)<br>Delete “ <b>327 IAC 8-2.1-8(a)</b> ” after “ <b>Other waterborne emergencies require a Tier 1 public notice under</b> ”<br>Insert “ <b>section 8(a) of this rule</b> ” after “ <b>Other waterborne emergencies require a Tier 1 public notice under</b> ”   |
| Page 78 | 22. | 327 IAC 8-2.1-17, Table 17. B. 11. concerning “Fluoride”<br>Insert “ <b>9</b> ” after “ <b>usually in children less than nine</b> ”<br>Delete “ <b>and/or</b> ” after “ <b>may include brown staining</b> ”<br>Insert “ <b>or</b> ” after “ <b>may include brown staining</b> ”<br>Insert “ <b>or both,</b> ” after “ <b>pitting of the teeth,</b> ”   |
| Page 78 | 23. | 327 IAC 8-2.1-17, Table 17. B. 13. concerning “Nitrate”<br>Insert “ <b>(6)</b> ” after “ <b>Infants below the age of six</b> ”   |
| Page 78 | 24. | 327 IAC 8-2.1-17, Table 17. B. 14. concerning “Nitrite”<br>Insert “ <b>(6)</b> ” after “ <b>Infants below the age of six</b> ”   |
| Page 78 | 25. | 327 IAC 8-2.1-17, Table 17. B. 15. concerning “Total Nitrate and Nitrite”<br>Insert “ <b>(6)</b> ” after “ <b>Infants below the age of six</b> ”   |
| Page 84 | 26. | 327 IAC 8-2.1-17(1)<br>Insert “ <b>forty</b> ” after “ <b>For systems analyzing fewer than</b> ”   |